

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code Supplement section 29C.20A, the Department of Human Services proposes to amend Chapter 58, "Emergency Assistance," Iowa Administrative Code.

The proposed amendments make the following changes to the Iowa Disaster Aid Individual Assistance Grant Program:

- Raise the reimbursement limit for home repair to \$5,000, commensurate with the higher benefit limit Adopted and Filed Emergency and published herein as **ARC 6878B**.
- Add reimbursement for debris removal, including trees, of up to \$1,000, based on the Department's experience of the kinds of losses suffered.
- Increase the limit for electrical or mechanical repairs from \$300 to \$1,000.
- Require additional documentation from the applicant, including proof of income and identity, proof of vehicle registration and insurance, and a brief statement of how the disaster caused the loss being claimed. The purpose of these requirements is to facilitate application processing and deter fraudulent claims.
- Clarify how the program covers insurance deductibles. The program will not pay if the claim is higher than the deductible. For example, if a homeowner has a \$500 deductible and the cost to repair roof damage from a falling tree limb is \$450, the program will pay \$450. If the cost to repair the roof is \$3,000, the program will not pay toward the roof repair.
- Clarify that the program does not cover repairs on rental property.
- Clarify the respective roles of the county emergency management coordinator, the Homeland Security and Emergency Management Division of the Department of Public Defense, and the Department of Human Services in administering the program.
- Change the name of Division I of Chapter 58 to match the name used in the Iowa Code. These amendments do not provide for waivers in specified situations. Individuals may request a waiver under the Department's general rule on exceptions at rule 441—1.8(17A,217). Any interested person may make written comments on the proposed amendments on or before July 23, 2008. Comments should be directed to Mary Ellen Imlau, Bureau of Policy Analysis and Appeals, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by E-mail to policyanalysis@dhs.state.ia.us.

These amendments are intended to implement Iowa Code Supplement section 29C.20A.

The following amendments are proposed.

ITEM 1. Amend the title of **441—Chapter 58, Division I**, as follows:

DIVISION I
IOWA DISASTER REIMBURSEMENT AID INDIVIDUAL ASSISTANCE GRANT PROGRAM

ITEM 2. Amend subrule 58.3(2) as follows:

58.3(2) The application ~~includes~~ shall include:

a. A declaration of the household's annual income, accompanied by: -

(1) A current pay stub, W2 form, or income tax return, or

(2) Documentation of current enrollment in an assistance program administered by the department of human services, the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), or other subsidy program.

- b. A release of confidential information to personnel involved in administering the program.
- c. A certification of the accuracy of the information provided.
- d. An assurance that the household had no insurance coverage for claimed items.
- e. A commitment to refund any part of a grant awarded that is duplicated by insurance or by any other assistance program, such as but not limited to local community development groups and charities, the Small Business Administration, or the Federal Emergency Management Administration.
- f. A short, handwritten narrative of the disaster event and how the disaster caused the loss being claimed.
- g. A copy of a picture identification document for each adult applicant.
- h. When vehicle damage is claimed, current copies of the vehicle registration and liability insurance card.

ITEM 3. Amend subrule 58.4(4) as follows:

58.4(4) The household has disaster-related expenses or serious needs that are not covered by insurance or the claim is less than the deductible amount. This program will not reimburse the amount of the insurance deductible when the claim exceeds the deductible amount.

ITEM 4. Amend subparagraph **58.5(1)“d”(4)** as follows:

- (4) Electrical or mechanical repairs, up to a maximum of ~~\$300~~ \$1,000.

ITEM 5. Amend subrule 58.5(2) as follows:

58.5(2) Reimbursement may be issued for home repair as needed to make the home safe, sanitary, and secure, up to a maximum of ~~\$1,000~~ \$5,000.

- a. Assistance will be denied if preexisting conditions are the cause of the damage.
- b. Reimbursement may be authorized for the repair of:
 - ~~a. (1) Structural~~ The repair of structural components, such as the foundation and roof.
 - ~~b. (2) Floors~~ The repair of floors, walls, ceilings, doors, windows, and carpeting of essential interior living space that was occupied at the time of the disaster.
 - (3) Debris removal, including trees, up to a maximum of \$1,000.
- c. Repairs to rental property are excluded under this program.

ITEM 6. Amend rule 441—58.6(29C) as follows:

441—58.6(29C) Eligibility determination and payment.

58.6(1) The county emergency management coordinator or designee shall:

- ~~a. Certify the household's residence and disaster related expenses; and Confirm that:~~
 - (1) The address provided on the application is a valid address and is reasonably believed to be in the disaster-affected area, and
 - (2) Disaster-related expenses were possible as a result of the current disaster.
- ~~b. Submit the household's application form to the DHS Division of Results-Based Accountability, 1305 East Walnut Street, Des Moines, Iowa 50319-0114~~ Homeland Security and Emergency Management Division, Camp Dodge, Building W-4, 7105 NW 70th Avenue, Johnston, Iowa 50131. The envelope shall be marked “DRGP application.”

58.6(2) The homeland security and emergency management division of the department of public defense shall:

- a. Review the application.
- b. Submit the household's application form to the DHS Division of Results-Based Accountability, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. The envelope shall be marked “DRGP application.”

~~58.6(2)~~ **58.6(3)** Designated disaster staff in the department of human services shall:

- ~~a. Review the application.~~
- ~~b. a.~~ Determine eligibility and the amount of payment.
- ~~c. b.~~ Notify the applicant household of the eligibility decision.
- ~~d. c.~~ Authorize payment to an eligible household.

d. Process appeals.